



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

AUG 30 2016

Michael Leon  
U.S. Steel Corporation  
1350 Penn Avenue, Suite 200  
Pittsburgh, PA 15222

Dear Mr. Leon:

This letter is in response to the Act 2 Remedial Investigation/Final Report and Risk Assessment for the former BP NT-4 Area of the Keystone Industrial Port Complex, dated May 13, 2016 and provided to the Environmental Protection Agency Region III (EPA) by John Garges of GHD, on behalf of the U.S. Steel Corporation. This letter specifically addresses the discovery of and proposed site-specific standard for poly-chlorinated biphenyls (PCBs) as detailed in the report referenced above.

EPA has reviewed the May 13, 2016 report and finds that, based upon the information provided in the cleanup plan, it is consistent with the requirements of 40 C.F. R. § 761.61(c) and that the site-specific standard for PCBs under Act 2 will not pose an unreasonable risk of injury to health or the environment. EPA hereby approves the site-specific standard for PCBs in the BP NT-4 Area of the Keystone Industrial Port Complex in Fairless Hills, Pennsylvania. This approval is subject to the conditions and limitations set forth in 40 C.F.R. § 761.61. This approved site-specific standard may only be modified with prior written approval from the EPA Regional Administrator.

EPA's approval of this site-specific standard does not in any way constitute a finding by EPA that the BP NT-4 Area will be safe or appropriate for any future use, does not insulate the owner or occupant of the property from action under any applicable law, and does not relieve U.S. Steel, or any other owner or operator of the BP NT-4 Area of its continuing responsibility to comply fully with 40 C.F.R. Part 761. EPA emphasizes that these regulations include several conditions and limitations that apply to persons performing a PCB cleanup activity subject to 40 C.F.R. § 761.61(c). Among other things, the regulations state that "[c]omplete compliance with 40 C.F.R. § 761.61 does not create a presumption against enforcement action for penalties for any unauthorized PCB disposal." 40 C.F.R. § 761.50(b)(3)(ii)(B). Further, "[a]ny person storing or disposing of PCBs is also responsible for determining and complying with all other applicable Federal, state, and local laws and regulations." 40 C.F.R. § 761.50(a)(6).

In accordance with 40 CFR § 761.61(a)(8)(i), a deed notice or other instrument (such as an environmental covenant) is required to be recorded, in accordance with State law, within 90

days of completion of cleanup activities due to the use of a cap/cover to prevent exposure to waste left in place. This deed notice/instrument should state 1) that the land has been used for PCB Remediation Waste disposal, 2) the PCB concentrations remaining in soil at the Site, and 3) the requirements for long-term monitoring and maintenance of the cap/cover. A copy of the recorded instrument must be submitted to the EPA Regional Administrator within 90 days of completion of the cleanup activities.

Any questions concerning this approval should be directed to Griff Miller, Remedial Project Manager, at (215) 814-3407.

Sincerely,

A handwritten signature in blue ink, appearing to read "John A. Armstead", with a large, stylized flourish at the end.

John A. Armstead, Director  
Land and Chemicals Division

cc: John Garges, GHD (via email)  
Walter Payne, PADEP (via email)

